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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Sixtieth session

SUMMARY RECORD OF THE 1522nd MEETING

Held at the Palais Wilson, Geneva,
on Friday, 22 March 2002, at 10 a.m.

Chairman: Mr. DIACONU

later: Mr. PILLAI

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 6) (continued)

Draft concluding observations concerning the fifteenth periodic report of Denmark (CERD/C/60/Misc.33/Rev.3) (document distributed in the meeting room, in English only) (continued)

1. The CHAIRMAN invited the members of the Committee to continue consideration of the draft concluding observations concerning the fifteenth periodic report of Denmark.

Paragraph 15

2. Ms. JANUARY-BARDILL (Country Rapporteur) said that a new sentence had been added to the previous draft concluding observations to remind the State party that, although it was not obliged to provide work permits to foreign residents, it should guarantee that foreigners who were entitled to a work permit were not discriminated against in their access to employment.

3. Paragraph 15 was adopted.

Paragraph 16

4. Mr. THORNBERRY suggested deleting the words "in reported" in the first line and the phrase "some ethnic minorities, in particular people" in the second line.

5. Paragraph 16, as amended, was adopted.

Paragraph 17

6. After an exchange of views in which Mr. SICILIANOS, Mr. ABOUL-NASR, Mr. BOSSUYT, Mr. AMIR, Mr. RESHETOV and Ms. JANUARY-BARDILL took part, the CHAIRMAN suggested that the word "proposals" in the second line should be replaced by "rules" and the last sentence should be changed to read that the Committee encouraged the State party to maintain its standards and ensure that all cases of asylum-seekers were decided on merit and without discrimination.

7. Paragraph 17, as amended, was adopted.

Paragraphs 18, 19 and 20

8. Paragraphs 18, 19 and 20 were adopted.

Paragraph 21

9. Paragraph 21 was adopted with a minor drafting change.

10. The draft concluding observations concerning the fifteenth periodic report of Denmark as a whole, as amended, were adopted.

Draft concluding observations concerning the initial report of Liechtenstein (CERD/C/Misc.38/Rev.1) (document distributed in the meeting room, in English only)

Paragraphs 1 to 3

11. Paragraphs 1 to 3 were adopted.

Paragraph 4

12. Mr. SICILIANOS suggested that the words "to comply" should be replaced by "to be in line".

13. Paragraph 4, as amended, was adopted.

Paragraph 5

14. After an exchange of views in which Mr. SHAHI, Mr. SICILIANOS, Mr. PILLAI and Mr. ABOUL-NASR took part, Mr. HERNDL (Country Rapporteur) proposed that the second sentence should be deleted.

15. Paragraph 5, as amended, was adopted.

Paragraph 6

16. Mr. ABOUL-NASR said that the Committee should refrain from employing the phrase "right-wing extremism", which was not commonly used in its concluding observations, and confine itself as much as possible to its usual phraseology, for example "racist groups".

17. The CHAIRMAN said that the paragraph was too long and disproportionate for a country as small and peaceful as Liechtenstein.

18. Mr. HERNDL (Country Rapporteur) said the paragraph might be trimmed by deleting the phrase in the second sentence that began with the words "which has been" and ended with "on the radical right". He also proposed replacing the words "on right-wing extremism" at the end of the paragraph by "on this phenomenon".

19. Mr. AMIR said he wished to place on record his reservations about the content of the paragraph: right-wing extremist groups certainly did not have a monopoly on racial discrimination. The Committee's role was to urge States parties to take preventive measures against any act of racial discrimination, regardless of the perpetrators, and not to pass judgement on political ideologies.

20. Paragraph 6, as amended, was adopted.

Paragraph 7

21. Paragraph 7 was adopted.

Paragraph 8

22. Mr. HERNDL (Country Rapporteur), noting that a number of high positions in the civil service were set aside exclusively for citizens, suggested inserting the word "necessarily" before "not required" to make it clear that the Committee took note with satisfaction that civil servants in Liechtenstein did not necessarily have to have Liechtenstein nationality.

23. Mr. RESHETOV said that he preferred the word "citizenship" to "nationality".

24. Paragraph 8, as amended, was adopted.

Paragraph 9

25. Mr. SHAHI, supported by Mr. ABOUL-NASR, said that the expression "right-wing" was used once again although it did not appear in the Convention and thus did not directly concern the Committee.

26. Mr. HERNDL (Country Rapporteur) pointed out that the expression appeared in the multilateral treaty in question; hence, the Committee could not avoid using it.

27. Mr. RESHETOV observed that the main subject of paragraph 9 was police training.

28. The CHAIRMAN proposed that, in order to make the link between the present recommendation and the Committee's mandate clearer, the first sentence should refer to right-wing extremist groups and, at the end of the paragraph, the words "all forms of right-wing extremism" should be replaced by "all forms of racial discrimination". To make the text more readable, he also suggested replacing the words "exchange for information and cooperation" by "police cooperation" and deleting the words "and their activities".

29. Paragraph 9, as amended, was adopted.

Paragraph 10

30. Mr. ABOUL-NASR was of the view that a shorter paragraph of one or two lines would be sufficient.

31. Mr. HERNDL (Country Rapporteur), acknowledging that paragraph 10 was too long, proposed deleting the phrase which started with "especially schoolchildren and women" and ended with "school curricula" and the words "by providing German language courses, counselling services and information".

32. Mr. THORNBERRY said that the penultimate sentence should be changed to make it clear that any expansion of the activities in question was a recommendation of the Committee and not a project of the State party, as the current wording might suggest. A number of drafting changes must also be made in other parts of the paragraph.

33. Paragraph 10, as amended, was adopted, subject to minor drafting changes.

Paragraphs 11 and 12

34. Paragraphs 11 and 12 were adopted.

Paragraph 13

35. Mr. RESHETOV said that a paragraph on gender-related wage inequality had no place in the concluding observations of the Committee against Racial Discrimination and should be deleted.

36. The CHAIRMAN said that he agreed with Mr. Reshetov.

37. Paragraph 13 was deleted.

Paragraph 14

38. Mr. ABOUL-NASR, noting that it was difficult for a Government to produce statistics on cases of discrimination in general, and in housing in particular, suggested that the Committee should confine itself to asking for more information on the subject and urging the State party to pay greater attention to that question. He therefore proposed that the words "including statistical data", in the third line, should be deleted.

39. Mr. HERNDL (Country Rapporteur) suggested replacing the phrase "is said to occur, albeit infrequently" by "might occur" in the first sentence and inserting the word "more" before "information" in the second sentence.

40. Mr. PILLAI pointed out that the paragraph made no reference to racial discrimination and therefore suggested that Liechtenstein should be asked for more information on the subject.

41. Mr. HERNDL (Country Rapporteur) suggested inserting the words "on racial grounds" after "discrimination" in the first sentence and asking the State party for information on all cases of discrimination in the second sentence.

42. Paragraph 14, as amended, was adopted.

Paragraph 15

43. Mr. RESHETOV, supported by Mr. ABOUL-NASR and Mr. HERNDL, proposed deleting paragraph 15, which had to do with religion, and not racial discrimination.

44. Paragraph 15 was deleted.

Paragraph 16

45. Mr. ABOUL-NASR, supported by Mr. TANG, Mr. RESHETOV and Mr. HERNDL, said that there was really no point in asking the State party to provide the Committee with its definition of statelessness. The paragraph should thus be deleted.

46. Paragraph 16 was deleted.

Paragraphs 17 to 19

47. Paragraphs 17 to 19 were adopted.

Paragraph 20

48. Mr. RESHETOV said that the State party should disseminate not only the Committee's concluding observations, but also the text of the periodic report. He proposed changing the first sentence accordingly.

49. Paragraph 20, as amended, was adopted.

Paragraph 21

50. The CHAIRMAN pointed out that the next report of the State party was due on 22 March 2004.

51. Paragraph 21, as amended, was adopted.

52. The draft concluding observations concerning the initial report of Liechtenstein as a whole, as amended, were adopted.

Draft concluding observations concerning implementation of the Convention in Turkmenistan (continued) (CERD/C/60/Misc.34/Rev.1) (document distributed in the meeting room, in English only)

53. The CHAIRMAN said that the Committee had considered the implementation of the Convention in Turkmenistan on the basis of documents from intergovernmental and non-governmental sources.

Paragraph 1

54. Paragraph 1 was adopted with minor drafting changes.

Paragraph 2

55. Mr. ABOUL-NASR, supported by Mr. RESHETOV, said there was no point in mentioning in the Committee's concluding observations the fact that the State party had not submitted a report to any United Nations treaty body or in referring to the Special Rapporteur on religious intolerance. The paragraph should be deleted.

56. Mr. BOSSUYT (Alternate Country Rapporteur) said that the purpose of the paragraph was to draw attention to the fact that the Turkmen Government had shirked all its obligations under the international instruments to which it had acceded.

57. The CHAIRMAN, speaking as a member of the Committee, and supported by Mr. AMIR, Mr. PILLAI and Mr. THORNBERRY, proposed that the paragraph should be retained without any reference to the Special Rapporteur on religious intolerance.

58. Paragraph 2, as amended, was adopted.

Paragraph 3

59. After an exchange of views in which Mr. RESHETOV, Mr. SICILIANOS, Mr. AMIR, Mr. KJAERUM, Mr. SHAHI, Mr. ABOUL-NASR, Mr. BOSSUYT and Mr. YUTZIS took part, the CHAIRMAN said he took it that the members of the Committee wished to make a number of changes to the paragraph to express its deep concern about grave allegations of human rights violations in Turkmenistan, both in civil and political, as well as social, economic and cultural domains, and, in connection with article 5 of the Convention, would like to receive more information from the State party on those matters.

60. Paragraph 3, as amended, was adopted.

Paragraph 4

61. Mr. THORNBERRY proposed that the words "non-ethnic Turkmen" should be replaced by "persons not of Turkmen ethnicity" at the end of the last sentence.

62. Paragraph 4, as amended, was adopted.

Paragraph 5

63. After an exchange of views in which Mr. ABOUL-NASR, Mr. PILLAI, Mr. BOSSUYT and Mr. THORNBERRY took part, Mr. YUTZIS proposed that, at the end of the paragraph, the Committee should urge the State party to enforce the right of members of all religious confessions to enjoy freedom of religion without any discrimination, in keeping with article 5 (d) (vii) of the Convention.

64. Paragraph 5, as amended, was adopted.

The meeting was suspended at 12.15 p.m. and resumed at 12.45 p.m.

Paragraph 6

65. Paragraph 6 was adopted.

Paragraph 7

66. After an exchange of views in which Mr. RESHETOV and Mr. KJAERUM took part, Mr. BOSSUYT proposed deleting the word "also" in the ninth line.

67. Paragraph 7, as amended, was adopted.

Paragraph 8

68. Paragraph 8 was adopted.

The meeting rose at 1 p.m.